

**BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**



_____)
In re: _____)
Town of Fairhaven _____) NPDES Appeal No. 17-08
NPDES Permit No. MA0100765 _____)
_____)

ORDER DISMISSING PETITION FOR REVIEW

On May 4, 2018, the Town of Fairhaven, Massachusetts, filed a motion for voluntary dismissal of its petition for review of NPDES Permit No. MA0100765, which Region 1 of the U.S. Environmental Protection Agency issued to the Town last September. The Town reports that it has reached a settlement agreement with the Region and the parties have executed an Administrative Order on Consent. Pursuant to 40 C.F.R. § 124.19(k), the Town requests that the Environmental Appeals Board dismiss its petition for review.

Based on the foregoing, the Board **GRANTS** the Town's motion. The Board dismisses the Town's petition and appeal.

So ordered.¹

Dated: **MAY - 8 2018**

ENVIRONMENTAL APPEALS BOARD

By: 
Aaron P. Avila
Environmental Appeals Judge

¹ The panel deciding this matter is comprised of Environmental Appeals Judges Aaron P. Avila, Mary Kay Lynch, and Kathie A. Stein. See 40 C.F.R. § 1.25(e)(1).

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **Order Dismissing Petition for Review** in the matter of *Town of Fairhaven*, NPDES Appeal No. 17-08, were sent to the following persons in the manner indicated:

By First Class U.S. Mail:

William E. Taylor, Esq.
Brian M. Rayback, Esq.
Pierce Atwood LLP
254 Commercial Street
Portland, Maine 04101
E-mail: wtaylor@pierceatwood.com

By EPA Pouch Mail:

Michael Curley
Assistant Regional Counsel
U.S. Environmental Protection Agency
5 Post Office Square, Suite 100
Mail Code: ORC 04-6
Boston, Massachusetts 02109-3912
E-mail: curley.michael@epa.gov

Dated: _____

5/8/2018



Eurika Durr
Clerk of the Board